

APPENDIX E: DEM DROUGHT RESPONSE PLAN FOR AGRICULTURE

A. Monitoring - The Division of Agriculture (DAG) will monitor stream flow at the United States Geological Survey gauging stations, predominately within the Pawcatuck Basin. Stream flows will be evaluated in relation to selected flow levels indicative of low flow or drought conditions, as well as in relation to rainfall and groundwater levels. DAG will provide written information on stream flow and precipitation levels on a regular basis to farmers and stakeholders.

B. Disaster Funding - DAG, in coordination with the United States Department of Agriculture (USDA), will seek federal and state disaster and emergency response funding for agriculture as necessary. DAG will coordinate with the Governor's Office for a disaster declaration, if necessary, which will enable the state to seek federal disaster assistance. Federal disaster assistance will be sought to provide compensation for crop losses attributable to drought and cost sharing on ponds and wells constructed for emergency water supply.

C. Media Campaigns and Marketing - DAG will conduct a media campaign and special marketing program to increase and maintain public awareness of the importance of local agriculture, and foster support under drought conditions. The campaign will use a variety of available media to deliver information.

D. Emergency Water Supply - DAG will coordinate with appropriate state and federal agencies to provide emergency water supplies. The DAG and the Water Resources Board will develop and provide to farmers a list of water suppliers and transporters available to provide and/or transport water. DAG in coordination with USDA and the Emergency Management Agency will provide and set up water bladders at farms where water supply is critically low and where there is imminent danger of livestock or crop losses. DAG in coordination with appropriate offices of DEM, Army Corps of Engineers and USDA will issue emergency permits for pond or well construction in accordance with the protocol listed below in item G. DAG will facilitate any available effort to provide water to farmers under drought conditions.

F. Long Term Planning - DAG in coordination with the USDA shall continue long-term planning efforts to reduce the potential vulnerability of farmers to drought conditions, including water supply and use management by farmers of adequate water supplies, improvements to pumping and irrigation conveyance systems, and emergency response planning.

G. Construction and or Expansion of Agricultural Ponds - The Director of DEM may authorize revised and expedited permitting procedures for farmers during a drought. These procedures pertain to the review by DAG of the construction of new ponds, expansion of existing ponds, or the construction of temporary wells by farmers for agricultural purposes. The following standards and conditions shall apply:

1. Project construction shall not initiate prior to written authorization by DAG. The DAG may verbally authorize on site the initiation of construction for critical situations, and shall follow-up in writing within 24-48 hours. Approvals are valid for a period of sixty (60) days and all construction must take place during this period. All plan modifications must be approved by DAG and be reflected in an amendment to the original permit. The DAG shall coordinate all project reviews with the Division of Water Resources.
2. Revised and expedited permitting procedures shall pertain to “legitimate” farmers who do not meet the definition of farmer pursuant to RIGL 2-1-22 (j), where critical water needs exist. Permitting procedures shall also pertain to the construction and use of wells on a temporary basis, and fill for pond embankments where absolutely necessary. Authorization to use wells is limited to drought conditions as determined by the Director. A Memorandum of Understanding shall be executed between the DAG and Division of Water Resources regarding this section.
3. Permits shall be issued only for projects determined to be insignificant alterations for freshwater wetlands. Adverse effects to the flow and circulation patterns, and chemical and biological characteristics of freshwater wetlands and the aquatic environment shall be minimized. The water quality status of surface waters and their tributaries within the project area must not be degraded. Projects shall not divert or impound stream flows.
4. All project plans and proposals shall be consistent with USDA/Natural Resources Conservation Service standards. The farmer is responsible for providing supporting documentation regarding the project, field delineation of the proposed pond footprint, and site characteristics. Supporting documentation for the project shall include plans describing the pond features, wetland edge, and a written description of the project.
5. No fill material may be placed into any wetland either onsite or offsite unless specifically authorized either as a part of the approval for this project or a separate approval. Adequate measures shall be taken prior to, during and following construction to ensure protection of wetlands areas from sediment deposition. Soil and erosion and sediment controls shall remain in place until all areas have stabilized.
6. Approvals issued by DAG do not remove the applicants obligation to obtain necessary permits from other federal, state or local agencies, and must be consistent with the U. S. Army Corp of Engineers Programmatic General Permit for Rhode Island (note - irrigation ponds by farmer are specifically exempt from Section 404 permitting requirements).
7. DAG staff will visit and review the site during construction for conformance.